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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,935	05/04/2005	Rubina Mian	GRT/3772-38	9653
23117 7590 11/05/2009 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			EXAMINER GITOMER, RALPH J	
			ART UNIT 1657	PAPER NUMBER
			MAIL DATE 11/05/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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ARLINGTON VA 22203

NOV 05 2009

In re Application of :
Mian et al :Decision on Petition
Serial No.:10/533,935 :
Filed : 4 May 2005 :
Attorney Docket No.: GRT/3772-38 :

This letter is in response to the Petition under 37 C.F.R. 1.144 and 1.181 filed on 30 October 2009 to request withdrawal of the restriction requirement mailed 11 August 2009.

Because the examiner had required restriction amongst inventions which had already been examined together on their merits on 8 August 2006, 12 March 2007, 20 September 2007, and 1 April 2008, the restriction requirement mailed 11 August 2009 was improper.

Accordingly, the petition is **GRANTED**.

The restriction requirement mailed 11 August 2009 has been withdrawn. Claims 1, 5, 7-14, 16-17 and 24 will continue to be examined together.

The non-final Office action mailed 16 October 2009 is withdrawn as incomplete.

The application will be forwarded to the examiner to consider the papers filed 14 September 2009 and to prepare an Office action on the merits on Claims 1, 5, 7-14, 16-17 and 24.

Because the Office has sent applicants three non-final Office actions in a row, (two of which, including this one, have been vacated) in order to help ensure compact prosecution, the next Office action will be reviewed by the Supervisory Patent Examiner prior to mailing, per MPEP 707.02 second paragraph.

“The supervisory patent examiners are expected to personally check on the pendency of every application which is up for the third or subsequent Office action with a view to finally concluding its prosecution.”

Should there be any questions regarding this decision, please Quality Assurance Specialist Julie Burke, by mail addressed to Director, Technology Center 1600, PO BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at (571) 272-0512 or by Official Fax at 571-273-8300.


Remy Yucel
Director, Technology Center 1600